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COMCAST OF ALAMEDA, INC.; COMCAST OF  
CALIFORNIA II, INC.; COMCAST OF CALIFORNIA  
III, INC.; COMCAST OF CALIFORNIA IX, INC.;  
COMCAST OF CALIFORNIA V, INC.; COMCAST OF  
CALIFORNIA VI, INC.; COMCAST OF CALIFORNIA  
X, INC.; COMCAST OF CALIFORNIA XIII, INC.;  
COMCAST CORPORATION; COMCAST OF FRESNO,  
INC.; COMCAST OF MARIN I, INC.; COMCAST OF  
MARIN II, INC.; COMCAST OF NORTHERN  
CALIFORNIA I, INC.; COMCAST OF NORTHERN  
CALIFORNIA II, INC.; COMCAST OF  
SACRAMENTO I, LLC; COMCAST OF  
SACRAMENTO II, LLC; COMCAST OF SAN  
LEANDRO, INC.; COMCAST OF SIERRA VALLEYS,  
INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JON HART, On Behalf of Himself and All Others  
Similarly Situated, and On Behalf of the General Public,

Plaintiff,

v.

COMCAST OF ALAMEDA, INC.; COMCAST OF  
CALIFORNIA II, INC.; COMCAST OF CALIFORNIA  
III, INC.; COMCAST OF CALIFORNIA IX INC.;  
COMCAST OF CALIFORNIA V INC.; COMCAST OF  
CALIFORNIA VI INC.; COMCAST OF  
CALIFORNIA X INC.; COMCAST OF CALIFORNIA  
XIII INC.; COMCAST CORPORATION; COMCAST  
OF FRESNO, INC.; COMCAST OF MARIN I, INC.;  
COMCAST OF MARIN II, INC.; COMCAST OF  
NORTHERN CALIFORNIA I, INC.; COMCAST OF  
NORTHERN CALIFORNIA II, INC.; COMCAST OF  
SACRAMENTO I, LLC; COMCAST OF  
SACRAMENTO II, LLC; COMCAST OF SAN  
LEANDRO, INC.; COMCAST OF SIERRA  
VALLEYS, INC.; and DOES 1-250,

Defendants.

Case No. C-07-06350 PJH

**REQUEST FOR JUDICIAL  
NOTICE**

Date: May 21, 2008  
Time: 9:00 a.m.  
Dept: Courtroom 3  
Judge: The Honorable Phyllis  
J. Hamilton

Defendants hereby request that the Court take judicial notice of the following documents. This request is made pursuant to Federal Rule of Evidence Rule 201 and in connection with Defendants' Motion for Judgment on the Pleadings.

1. Comcast's High-Speed Internet Acceptable Use Policy, previously available at <http://www6.comcast.net/terms/use>, attached at Exhibit A.

2. Comcast's Frequently Asked Questions, previously available at <http://www.comcast.net/help/faq/index.jsp?faq=Hot118988>, attached at Exhibit B.

3. *In re Appropriate Framework for Broadband Access to the Internet over Wireline Facilities*, 20 F.C.C.R. 14986 (2005) (the "Internet Policy Statement"), available at [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6518169849](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6518169849) (courtesy copies of this and the following publicly-available government records will be provided upon request).

4. *In re Vuze, Inc., Petition to Establish Rules Governing Network Management Practices by Broadband Network Operators*, WC Docket No. 07-52 (Nov. 14, 2007), available at [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6519811711](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6519811711).

5. *In re Free Press, et al., Declaratory Ruling that Degrading an Internet Application Violates the FCC's Internet Policy Statement and Does Not Meet an Exception for "Reasonable Network Management,"* WC Docket No. 07-52 (Nov. 1, 2007), available at [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6519825121](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6519825121).

6. *FCC Public Notice, Comment Sought on Petition for Declaratory Ruling Regarding Internet Management Policies*, WC Docket No. 07-52 (2008); available at [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6519837887](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6519837887).

7. *FCC Public Notice, Comment Sought on Petition for Rulemaking to Establish Rules Governing Network Management Practices by Broadband Network Operators*, WC Docket No. 07-52 (2008); available at <http://hraunfoss.fcc.gov/edocs>

1 [public/attachmatch/DA-08-92A1.pdf](http://public/attachmatch/DA-08-92A1.pdf).

2 8. Distributed Computing Industry Association, *Comment On Petition For*  
3 *Rulemaking*, No. 07-52 (Feb. 13, 2008), available at [http://fjallfoss.fcc.gov/prod/ecfs/](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6519841058)  
4 [retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6519841058](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6519841058).

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7 Dated: March 14, 2008

DRINKER BIDDLE & REATH LLP

8 /s/ Michael J. Stortz

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